

Revision: HCFA-PM-92-3 (HSQB)  
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OMB No.:

State/Territory: MINNESOTA

Citation 4.40 Survey and Certification Process

- §§1919(g)(1), (a) The State assures that the requirements of  
(2), (4) and (5); §1919(g)(1) and (2) of the Act which relate  
P.L. 100-203 to the survey and certification of non-  
(§4212 (a)); State owned nursing facilities based on the  
P.L. 105-33 (§4755(b)). requirements of §1919(b), (c) and (d) of  
the Act, are met.
- §1919(g)(1)(B) (b) The State conducts periodic educational  
programs for staff and residents (and their  
representatives). ATTACHMENT 4.40-A  
describes the survey and certification  
educational program.
- §1919(g)(1)(C) (c) The State provides for a process for the  
and (D); receipt, and timely review and  
P.L. 105-33 investigation of allegations of neglect and  
(§4755(b)) abuse and misappropriation of resident  
property by a nurse aide or by another  
individual providing services to residents.  
ATTACHMENT 4.40-B describes the State's  
process and the opportunity, in limited  
circumstances, for nurse aides to petition  
for removal of their name from the Nurse  
Aide Registry if there is a finding of  
neglect.
- §1919(g)(1)(C) (d) The State agency responsible for surveys  
and certification of nursing facilities  
conducts the process for the receipt, and  
timely review and investigation of  
allegations of neglect and abuse and  
misappropriation of resident property.
- §1919(g)(1)(C) (e) The State assures that a nurse aide, found  
to have neglected or abused a resident or  
misappropriated resident property, is  
notified of the finding. The name and  
finding is placed on the nurse aide  
registry.
- §1919(g)(1)(C) (f) The State notifies the appropriate  
licensure authority of any licensed  
individual found to have neglected or  
abused a resident or misappropriated  
resident property.

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## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: MINNESOTA

- 1919(g)(2)  
(A)(i) of  
the Act
- (g) The State has procedures, as provided for at section 1919(g)(2)(A)(i), for the scheduling and conduct of standard surveys to assure that the State has taken all reasonable steps to avoid giving notice through the scheduling procedures and the conduct of the surveys themselves. Attachment 4.40-C describes the State's procedures.
- 1919(g)(2)  
(A)(ii) of  
the Act
- (h) The State assures that each facility shall have a standard survey which includes (for a case-mix stratified sample of residents) a survey of the quality of care furnished, as measured by indicators of medical, nursing and rehabilitative care, dietary and nutritional services, activities and social participation, and sanitation, infection control, and the physical environment, written plans of care and audit of resident's assessments, and a review of compliance with resident's rights not later than 15 months after the date of the previous standard survey.
- 1919(g)(2)  
(A)(iii)(I)  
of the Act
- (i) The State assures that the Statewide average interval between standard surveys of nursing facilities does not exceed 12 months.
- 1919(g)(2)  
(A)(iii)(II)  
of the Act
- (j) The State may conduct a special standard or special abbreviated standard survey within 2 months of any change of ownership, administration, management, or director of nursing of the nursing facility to determine whether the change has resulted in any decline in the quality of care furnished in the facility.
- 1919(g)(2)  
(B) of the  
Act
- (k) The State conducts extended surveys immediately or, if not practicable, not later than 2 weeks following a completed standard survey in a nursing facility which is found to have provided substandard care or in any other facility at the Secretary's or State's discretion.
- 1919(g)(2)  
(C) of the  
Act
- (l) The State conducts standard and extended surveys based upon a protocol, i.e., survey forms, methods, procedures and guidelines developed by HCFA, using individuals in the survey team who meet minimum qualifications established by the Secretary.

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## STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

State/Territory: MINNESOTA

- 1919(g)(2)  
(D) of the  
Act (m) The State provides for programs to measure and reduce inconsistency in the application of survey results among surveyors. Attachment 4.40-D describes the State's programs.
- 1919(g)(2)  
(e)(i) of  
the Act (n) The State uses a multidisciplinary team of professionals including a registered professional nurse.
- 1919(g)(2)  
(E)(ii) of  
the Act (o) The State assures that members of a survey team do not serve (or have not served within the previous two years) as a member of the staff or consultant to the nursing facility or has no personal or familial financial interest in the facility being surveyed.
- 1919(g)(2)  
(E)(iii) of  
the Act (p) The State assures that no individual shall serve as a member of any survey team unless the individual has successfully completed a training and test program in survey and certification techniques approved by the Secretary.
- 1919(g)(4)  
of the Act (q) The State maintains procedures and adequate staff to investigate complaints of violations of requirements by nursing facilities and on site monitoring. Attachment 4.40-E describes the State's complaint procedures.
- 1919(g)(5)  
(A) of the  
Act (r) The State makes available to the public information respecting surveys and certification of nursing facilities including statements of deficiencies, plans of correction, copies of cost reports, statements of ownership and the information disclosed under section 1126 of the Act.
- 1919(g)(5)  
(B) of the  
Act (s) The State notifies the State long-term care ombudsman of the State's finding of noncompliance with any of the requirements of subsection (b), (c), and (d), or of any adverse actions taken against a nursing facility.
- 1919(g)(5)  
(C) of the  
Act (t) If the State finds substandard quality of care in a facility, the State notifies the attending physician of each resident with respect to which such finding is made and the nursing facility administrator licensing board.
- 1919(g)(5)  
(D) of the  
Act (u) The State provides the State Medicaid fraud and abuse agency access to all information concerning survey and certification actions.

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